

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
COUNTY OF MADISON

DENNIS WISDOM,)
Plaintiff,)
vs.) No. 17-L- 1729
JACOBSON WAREHOUSE COMPANY, INC. d/b/a)
XPO LOGISTICS SUPPLY CHAIN)
Defendant.)

COMPLAINT

Plaintiff, Dennis Wisdom, by and through his counsel, Darr Firm, and for his cause of action against the defendant, Jacobson Warehouse Company, Inc. d/b/a XPO Logistics Supply Chain, states as follows:

1. Plaintiff, Dennis Wisdom, is a citizen and resident of the State of Missouri. At all times relevant herein, he was employed as a commercial truck driver by Schnuck's Market, Inc.
2. Schnuck's Market, Inc. contracted with defendant to provide warehouse management services and distribution services. This included packing and loading of trailers for transport by Schnuck's drivers.
3. The defendant, Jacobson Warehouse Company, Inc., is a foreign corporation headquartered in Iowa. It regularly conducts business in Madison County, Illinois through dispatch. As a foreign corporation, it may be sued in any county in Illinois 735 ILCS 5/2-102.
4. At all relevant times, plaintiff, Dennis Wisdom, was a commercial driver employed by Schnuck's Market, Inc. with duties transporting merchandise for

his employer, Schnuck's Market, Inc. Schnuck's drivers routinely take the trailers loaded by the defendant into Madison County, Illinois.

5. Upon information and belief, as part of its contractual obligations with Schnuck's, the defendant was obligated to utilize prevailing warehouse industry standards and plan, hire, train and staff its warehousing facility so as to reasonably discharge those obligations, including loading and securing the trailers of freight for transport by Schnuck's drivers.

6. Plaintiff is not allowed to open or inspect his load once he accepts it at the defendant's facility.

7. That at all times, the defendant acting through its employees and agents, had a duty to use reasonable care and caution in the loading and securing of trailer freight and to train its employees to act accordingly.

8. On December 22, 2015 plaintiff attempted to deliver his freight to various locations, including a designation in Rockford, Illinois. Plaintiff was unaware that the load had shifted. Upon entry of the trailer, the load had fallen or was not otherwise in a safe and suitable condition for unloading. The contents fell on plaintiff causing him injury.

9. As will be proven at trial, on and before December 22, 2015, defendant disregarded safe practices for loading of trailers.

10. As a professional loading company, defendant had a duty to adhere to prevailing warehouse industry standards and otherwise use care and caution.

11. Defendant, acting through its agents and employees, neglected its duty by way of one or more of its following acts and/or omissions:

- a. Negligently and recklessly failed to stack the load in accordance with accepted industry standards; and/or
- b. Negligently and recklessly failed to secure plaintiff's load within the trailer; and/or
- c. Negligently and recklessly failed to wrap the merchandise so as to prevent shift of cargo; and/or
- d. Negligently and recklessly failed to inspect plaintiff's load before sealing the trailer; and/or
- e. Negligently and recklessly failed to be properly attentive; and/or
- f. Negligently and recklessly failed to use appropriate racks, bars and cages for stabilizing the freight transported.

12. Each of these acts and omissions, singularly or in combination with others, constituted negligence, which directly and proximately caused the injuries to the plaintiff.

13. As a direct and proximate result of the negligent conduct of defendant, plaintiff suffered serious bodily injury, pain and mental anguish.

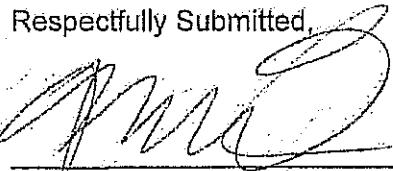
14. As a direct and proximate result and of the injury, Plaintiff was required to expend, incur and become indebted for medical expenses.

15. That as a direct and proximate result of the negligence and carelessness of the defendant, plaintiff sustained injury to his neck, shoulder, arms and spine; plaintiff lost wages and has been disabled due to the injuries sustained.

WHEREFORE, Plaintiff Dennis Wisdom, prays for judgment against Defendant Jacobson Warehouse Company, Inc., in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with his costs.

Respectfully Submitted,

BY:


Lanny Darr (#06205283)

Darr Firm

307 Henry Street, Suite 406

P.O. Box 866

Alton, IL 62002

Phone: 618/208-6828

Fax: 618/433-8519

darr@darrfirm.com

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
COUNTY OF MADISON

DENNIS WISDOM,

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Plaintiff,

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vs.

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No. 17-L-

1729

JACOBSON WAREHOUSE COMPANY, INC. d/b/a
XPO LOGISTICS SUPPLY CHAIN

)

Defendant.

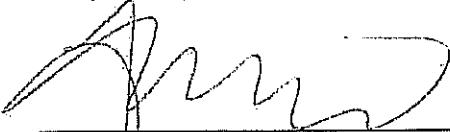
)

CERTIFICATION

I, Lanny Darr, being the attorney for the plaintiff, Dennis Wisdom, hereby certifies
that the foregoing complaint seeks damages *in excess* of Fifty Thousand Dollars
(\$50,000.00).

Respectfully submitted,

By:



Lanny Darr (#06205283)

Darr Law Offices, Ltd.

307 Henry Street, Suite 406

P.O. Box 866

Alton, IL 62002

Phone: (618) 208-6828

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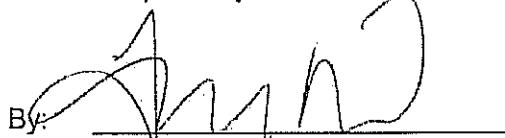
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DENNIS WISDOM,)
Plaintiff,)
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JACOBSON WAREHOUSE COMPANY, INC. d/b/a)
XPO LOGISTICS SUPPLY CHAIN)
Defendant.)

ENTRY OF APPEARANCE

Now comes Lanny Darr of Darr Law Offices, Ltd., and hereby enters his appearance as attorney of record for the plaintiff, Dennis Wisdom.

Respectfully submitted,

By: 
Lanny Darr (#06205283)
Darr Law Offices, Ltd.
307 Henry Street, Suite 406
P.O. Box 866
Alton, IL 62002
Phone: (618) 208-6828
Fax: (618) 433-8519
darr@darrfirm.com

EFILED

Case Number 2017L001729

Transaction ID: 61620536

Date: Jan 29 2018 12:42PM

Mark.Von Nida

Clerk of Circuit Court

Third Judicial Circuit, Madison County Illinois

Case No. 2017 L 001729

STATE OF ILLINOIS }
MADISON COUNTY } ss.

I, Bob Bateman, Process Server, Sheriff of said county, have duly served the within summons on the defendant by leaving a copy thereof with said defendant personally, on the 20 day of

I have duly served the said summons on the defendant, XPO Logistics Supply on the 11 day of JAN, 2018, by leaving a copy of said summons on said date at his/her usual place of abode with the Dock Dispatcher - Tene Doe, a person of the family of said Corporate Service, of the age of 13 years or upwards and by informing such persons with whom said summons was left of the contents thereof and by also sending a copy of said summons on the — day of —, 20—, in a sealed envelope, with postage fully prepaid, addressed to said defendant at his/her usual place of abode, as stated hereinabove in my return.

Dated this 29 day of January, 2018.

Bob Bateman PRO-SERVE INC.
4468 WINCHESTER SOUTHERN RD Sheriff Prov
CANAL WINCHESTER, OH 43110 Server

Sheriff's Fees

Service.....\$ _____

Making Copies.....\$ _____

Miles Traveled..\$ _____

Cost of mailing copies \$ _____

Return.....\$ _____

Total.....\$ _____

DENNIS WISDOM

PLAINTIFF

VS.

JACOBSON WAREHOUSE COMPANY INC DBA XPO LOGISTICS SUPPLY

DEFENDANT

December 21, 2017

STATE OF ILLINOIS
 IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
 MADISON COUNTY
 155 N Main St., Edwardsville, IL 62025
 (618) 296-4464
 madisoncountycircuitclerkIL.org

CASE No. 2017 L 001729

DATE: December 21, 2017

DENNIS WISDOM

PLAINTIFF

VS.

JACOBSON WAREHOUSE COMPANY INC DBA XPO LOGISTICS SUPPLY

DEFENDANT

DEFENDANT: JACOBSON WAREHOUSE COMPANY INC DBA XPO LOGISTICS SUPPLY

You are hereby summoned and required to file an answer in this case, or otherwise file your appearance, in the office of the Madison County Circuit Clerk, within 30 days after service of this summons, exclusive of the day of service. If you fail to do so, a judgment or decree by default may be taken against you for the relief prayed in the complaint.

This summons must be returned by the officer or other person to whom it was given for service, with endorsement thereon of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed.

This summons may not be served later than 30 days after its date.

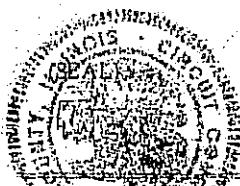
Witness: MARK VON NIDA the Clerk of said Circuit Court and the seal thereof, at Edwardsville, Illinois, this December 21, 2017.

MARK VON NIDA

CLERK OF THE CIRCUIT COURT

BY:

Deputy Clerk


 The seal of the Madison County Circuit Court, featuring a circular design with text around the perimeter and a central emblem.

(Plaintiff and/or plaintiff if he is not represented by an attorney)

LANNY H. BARR
 DARR FIRM
 307 HENRY ST STE 406
 P O BOX 940
 ALTON, IL 62002

Date of Service: 20

(To be inserted by officer on the copy left with the defendant or other person)

1 of 2

The Madison County Court makes every effort to comply with accessibility laws and provides reasonable accommodations to persons with disabilities. Hearing, visual and other assistance may be arranged by contacting our Court Disability Coordinator, Teri Piechioldi at 618-296-4884.

December 21, 2017

IN THE CIRCUIT COURT
FOR THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

CASE NUMBER: 2017 L 001729

DENNIS WISDOM

Plaintiff(s)

VS.

JACOBSON WAREHOUSE COMPANY INC DBA XPO LOGISTICS SUPPLY

Defendant(s)

FILED
DEC 21 2017
CLERK OF CIRCUIT COURT #11
THIRD JUDICIAL CIRCUIT
MADISON COUNTY ILLINOIS

ASSIGNMENT ORDER

The above case is hereby assigned to the Honorable A.A. MATOESIAN for setting and disposition.

Clerk to send copies of this Order to the attorneys of record and any pro se party.

DATE: December 20, 2017

s/David Hylla
Chief Judge